

REMARKS

The Examiner's Office Action has been reviewed. The Examiner has then rejected Claims 1 - 5 "under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,688,208 B2 to Campbell in view of Castleton (4,598,482)". In response, a terminal disclaimer is being submitted to overcome this ground of rejection.

The Examiner has then rejected Claims 1 - 5 "under 35 U.S.C. 103(a) as being unpatentable over Baker (3,913,440) in view of Castleton (4,598,482) and Volk (4,608,898)." This rejection is traversed. Although there are similarities between applicants' invention as claimed and the prior art as exemplified by that cited by the Examiner, there are also significant differences which the Examiner appears to have overlook. For example, specifically claimed are two L-shaped members, the cutting guide and the support bracket, each of which is coupled to a stop piece. Such L-shaped members coupled to a stop piece is not found in the prior art taken alone or in combination. In addition, the stop piece is described as having "a first end having a first angled cut at an obtuse angle and with a second end having second angle cut at an acute angle". Such a relationship of an obtuse angle and an acute angle is not found

in the prior art no matter how the Examiner attempts to combine the references. Lastly, specifically claimed is "the cutting guide spaced a short distance from the first end" with the "support bracket spaced a short distance from the second end". Such a relationship of spacings of the cutting guide and support bracket from the end of the stop piece is not found in the prior art whether taken alone or in combination. It is applicant's unique combination of specific features which is not found in the prior art and which extends the utility of applicants' invention for its purpose as a work bench holder system.

It would appear that the Examiner has merely gleaned miscellaneous features in the prior art and has attempted to combine them without a teaching for their combination. The only teaching is in applicants' disclosure which, by definition, is not prior art. But even if there were a teaching for the combination, the resulting structure would still fail to anticipate applicants' invention for the reasons set forth herein above.

It is deemed that the amendments and remarks herein overcome all grounds of rejection. Reconsideration and a Notice of Allowance are requested.

If the Examiner feels that this amendment does not place the application in condition for allowance, it is requested that the amendment be entered for purposes of appeal.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Edward P. Dutkiewicz".

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